

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: KISTLER POLE BUILDING COMPANY, INC.
: CHAPTER 7**

DEBTOR : BANKRUPTCY NO. 18-11333

**TRUSTEE'S MOTION TO SELL
DEBTOR'S VEHICLES AT PRIVATE SALE FREE & CLEAR OF LIENS**

TO THE HONORABLE RICHARD E. FEHLING, CHIEF BANKRUPTCY JUDGE:

And Now Comes, Michael H. Kaliner, Trustee, and respectfully files this Motion and in support thereof represents as follows:

1. The Movant is Michael H. Kaliner, the duly appointed Trustee herein.
2. The Debtor owns a quantity of vehicles which are more specifically set forth on Exhibit "A," which is attached hereto and incorporated herein.
3. The Trustee has received an offer from Lehigh Trucks & Auto Sales, 4312 Route 309, Schnecksville, PA 18078 for the sum of \$65,500.00.
4. There are secured claims filed by the IRS, PA Dept. of Revenue & PA Dept. of Labor & Industry in the amounts of \$1,005,327.35, \$72,944.61 and \$155,544.75, respectively. However, the IRS has agreed to a 25% "carve-out" for unsecured creditors plus administrative expenses. Not only are the IRS liens prior in time to those of the state taxing authorities to the extent of the value of the vehicles, but the state has not levied in order to perfect its liens.
5. Additionally, the 2011 Chevy Silverado 1500 (#17 on Exhibit "A"), is subject to a repairmen's lien in favor of Halye Automotive, 15801 Kutztown Rd., Maxatawny, PA 19538, which has agreed to accept \$4,000.00 is settlement of its lien.
6. The Trustee proposes to pay 10% broker's commission to Joe Setton, \$4,000.00 to Halye Automotive, retain 25% of the sale price plus costs of administration, with the balance to the IRS.
7. This is the highest offer the Trustee received and he believes the sale to be in the best interests of the Estate.

WHEREFORE, the Trustee respectfully request that this Honorable Court grant the relief requested.

/s/Michael H. Kaliner
Michael H. Kaliner, Trustee